

Remarks

The applicant thanks Examiner Renata McCloud for the telephone interview of May 3, 2006 in which the objections to the drawings were discussed. In the Office Action dated April 21, 2006, the examiner raised objections to the drawings which were substantially identical to objections to the drawings raised in the Office Action of October 19, 2005. The applicant's amendment following the October 19, 2005 Office Action sought to overcome the objections to the drawings by making various amendments to the text that would more accurately explain the drawings. As a result of the interview, Examiner McCloud expressed satisfaction with the drawings in their current condition and indicated that the objections to the drawings would be withdrawn.

The forgoing amendment has been made after a careful review of the present application, the references of records, and the Office Action dated April 21, 2006. In the Office Action, the examiner asserted the objections to the drawings, which were resolved by the telephone interview. The examiner also objected to the amendment filed January 23, 2006 as introducing new material by describing Fig. 6 as showing a gear motor that "is representative of all the gear motors." The examiner also rejected claims 1 through 6 under 35 USC 112 for including the statement "without being connected to a contact of a motor," and raised various other minor objections to the claims. Claims 1 through 4 were rejected under 35 USC 102 (b) as being anticipated by Heiman, and claims 5 and 6 were rejected under 35 USC 103 (a) as being unpatentable over Heiman in view of Levasseur.

In the forgoing amendment, the applicant has amended the specification to delete language stating that the gear motor depicted Fig. 6 "is representative of all the gear motors," thereby overcoming the examiner's rejection under 35 USC 132 (a) as introducing new matter. The claims have also been amended to overcome various minor objections.

The examiner objected to the language in the claim stating that the detector's circuit was connected to a contact of a switch "without being connected to a contact of a motor" as not being described in the specification, and as attempting to claim the invention using negative language. The applicant disagrees with the examiner's objection in this regard because the drawings clearly show how the detector circuit is connected and depicts that the connections do not include a contact of a motor. Furthermore, the rejected claims did positively assert how the contact of the switch was connected and the sole purpose of the negative language was to circumvent the examiner's interpretation of the Heiman reference. The use of negative language to avoid such an interpretation is permitted, see MPEP Section 2173.05 (i), Negative Limitations. Notwithstanding the applicant's disagreement on this matter, the applicant has amended the claims to more clearly define the invention. All the independent claims now describe the second contacts of the switch as being connected to the detector by means of a "detector line" that is "independent of a circuit for the application of power to the motor." With respect to the use of the word "detector line" the applicant submits that the lines 70 and 72 have been described as "two detector wires" on page 9 line 9 of the specification and therefore the use of the term "detector line" is not new

matter. The detector lines 70, 72 are clearly shown and described as being independent of the application of power to the various motors.

With the forgoing amendment, the applicant hereby traverses the rejection of amended claims 1 through 4 under 35 USC 102 as being anticipated by Heiman. The Heiman reference discloses a vending machine that includes a diagnostic apparatus that detects changes in the impedance in the power circuit. Heiman measures the impedance of the circuit applying power to the electric motors and carefully measures changes in the impedance in the circuit against control measurements to determine the condition of the device. The present invention, on the other hand, provides a separate detector line that monitors the switches attached to each of the gear motors for only one row of gear motors, that being the row having a motor to which power has been applied. The applicant submits that with the forgoing amendment, claims 1 through 4 clearly define over the Heiman reference and are therefore allowable.

In similar fashion, the applicant traverses the rejection of amended claims 5 and 6 under 35 USC 103 (a) as being unpatentable over Heiman in view of Levasseur. Claim 5 (upon which claim 6 is dependent) includes the language that a contact of the switch of the row is connected by a detector line to the detector and that the detector line is independent of the circuit applying power to the motor. The deficiencies of Heiman have already been noted. The Levasseur reference discloses a multiplex system for controlling gear motors including the use of first and second switches to power a single motor of the multiplex systems. The Levasseur reference, however, does not disclose a detector circuit connected by a detector line to one contact of the switches of one row of gear motors, which is the deficiency which has been noted

above with respect to Heiman. Accordingly, Heiman and Levasseur cannot be combined to reach the invention defined in claims 1 and 3, and therefore, these two references cannot be used to reject amended claim 5. Accordingly, claim 5, and claim 6 which is dependent upon claim 5, also define over the references cited and the rejection must be withdrawn. In view of the forgoing, it is believed that the claims of the application now define over the references of record, and favorable reconsideration and allowance is requested.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert L. Marsh". The signature is fluid and cursive, with a long horizontal stroke at the end.

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